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Attorneys for Plaintiff  
Harry M. Reid

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

HARRY M. REID,	)	Case No.: 2:22-cv-01072-EJY
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER FOR THE AWARD AND
vs.	)	PAYMENT OF ATTORNEY FEES
	)	AND EXPENSES PURSUANT TO
KILOLO KIJAKAZI,	)	THE EQUAL ACCESS TO JUSTICE
Acting Commissioner of Social	)	ACT, 28 U.S.C. § 2412(d) AND
Security,	)	COSTS PURSUANT TO 28 U.S.C. §
	)	1920
Defendant.	)	

TO THE HONORABLE ELAYNA J. YOUCHAH, MAGISTRATE JUDGE  
OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between the parties through their  
undersigned counsel, subject to the approval of the Court, that Harry M. Reid be

1 awarded attorney fees and expenses in the amount of three thousand and eight  
2 hundred dollars (\$3,800.00) under the Equal Access to Justice Act (EAJA), 28  
3 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920. This amount represents  
4 compensation for all legal services rendered on behalf of Plaintiff by counsel in  
5 connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

6 After the Court issues an order for EAJA fees to Harry M. Reid, the  
7 government will consider the matter of Harry M. Reid's assignment of EAJA fees  
8 to Marc Kalagian. The retainer agreement containing the assignment is attached as  
9 exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to  
10 honor the assignment will depend on whether the fees are subject to any offset  
11 allowed under the United States Department of the Treasury's Offset Program.  
12 After the order for EAJA fees is entered, the government will determine whether  
13 they are subject to any offset.

14 Fees shall be made payable to Harry M. Reid, but if the Department of the  
15 Treasury determines that Harry M. Reid does not owe a federal debt, then the  
16 government shall cause the payment of fees, expenses and costs to be made  
17 directly to Law Offices of Lawrence D. Rohlifing, Inc., CPC, pursuant to the  
18 assignment executed by Harry M. Reid.<sup>1</sup> Any payments made shall be delivered to  
19 Marc Kalagian.

20 This stipulation constitutes a compromise settlement of Harry M. Reid's  
21 request for EAJA attorney fees, and does not constitute an admission of liability on  
22 the part of Defendant under the EAJA or otherwise. Payment of the agreed amount  
23 shall constitute a complete release from, and bar to, any and all claims that Harry  
24

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25 <sup>1</sup> The parties do not stipulate whether counsel for the plaintiff has a cognizable lien  
26 under federal law against the recovery of EAJA fees that survives the Treasury  
Offset Program.

1 M. Reid and/or Marc Kalagian including Law Offices of Lawrence D. Rohlring,  
2 Inc., CPC may have relating to EAJA attorney fees in connection with this action.

3 This award is without prejudice to the rights of Marc Kalagian and/or the  
4 Law Offices of Lawrence D. Rohlring, Inc., CPC to seek Social Security Act  
5 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of  
6 the EAJA.

7 DATE: March 22, 2023 Respectfully submitted,

8 LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC,

9 /s/ *Marc V. Kalagian*

10 BY: \_\_\_\_\_

11 Marc V. Kalagian  
Attorney for plaintiff  
HARRY M. REID

12  
13 DATE: March 22, 2023

JASON M. FRIERSON  
United States Attorney

14  
15 /s/ *David Priddy*

16 \_\_\_\_\_  
DAVID PRIDDY

17 Special Assistant United States Attorney  
Attorneys for Defendant  
18 KILOLO KIJAKAZI, Acting Commissioner of  
Social Security (Per e-mail authorization)

19  
20  
21 **ORDER**

22 Approved and so ordered:

23 DATE: March 24, 2023

24 

25 THE HONORABLE ELAYNA J. YOUCHAH  
26 UNITED STATES MAGISTRATE JUDGE